ST/SGB/2016/6
2 May 2016

United Nations

Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation

Secretary-General's bulletin

Please recycle

United Nations ST/SGB/2016/6

Secretariat

2 May 2016

Secretary-General's bulletin

Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation

1. The Secretary-General hereby promulgates a revised edition of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation.

2. The Regulations were first adopted by the General Assembly in its resolution 37/234 of 21 December 1982. The corresponding Rules were promulgated and issued as ST/SGB/PPBME/Rules/1 (1987), pursuant to General Assembly resolutions 37/234 of 21 December 1982 and 38/227 A of 20 December 1983. The Regulations and Rules were subsequently amended by the Assembly in its resolutions 42/215 of 21 December 1987, 53/207 of 18 December 1998 and 54/236 of 23 December 1999, and its decision 54/474 of 7 April 2000.

3. By its resolution 67/236 the Assembly requested the Secretary-General, to bring to its attention at its sixty-eighth session, through the Committee for Programme and Coordination, a report proposing revisions to the relevant Regulations and Rules (ST/SGB/2000/8), based on changes approved by the Assembly in its various resolutions on programme planning. The Regulations and Rules in the present revised edition apply to articles I to VI and are issued pursuant to that resolution and resolution 70/8, in which the Assembly endorsed the recommendations of the Committee for Programme and Coordination, as contained in chapter II.A of its report (A/70/16), on the proposed revisions to the Regulations and Rules as submitted by the Secretary-General in his report (A/68/74 and Corr.1). No revisions were made to article VII, on evaluation, or the annex. The revised text is effective as of 1 January 2016.

4. The Regulations provide the legislative directives established by the Assembly governing the planning, programming, monitoring and evaluation of all activities undertaken by the United Nations, irrespective of their source of financing. The Rules govern the planning, programming, monitoring and evaluation of United Nations activities, except as may otherwise be provided by the Assembly or specifically exempted by the Secretary-General.

5. The present bulletin supersedes the Secretary-General's bulletin of 19 April 2000 entitled "Regulations Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation" (ST/SGB/2000/8)).

(*Signed*) BAN Ki-Moon
Secretary-General

Contents

Article		*Regulation*	*Rules*	*Page*
	Preamble			5
I.	Applicability	1.1	101.1	6
II.	Instruments of integrated management	2.1–2.2		6
III.	Planning, programming and budgeting process	3.1–3.2	103.1	6
IV.	Strategic framework	4.1–4.16	104.1–104.10	7
V.	Programme aspects of the budget	5.1–5.9	105.1–105.8	12
VI.	Monitoring of programme implementation	6.1–6.3	106.1–106.2	15
VII.	Evaluation	7.1–7.4	107.1–107.4	16
Annex				
	Glossary of terms			19

Preamble

1. The planning, programming, budgeting, monitoring and evaluation cycle established by the United Nations through resolutions and decisions of the General Assembly aims at the following:

(a) To subject all programmes of the Organization to periodic and thorough reviews;

(b) To afford an opportunity for reflection before choices among the various types of action possible are made in the light of all existing conditions;

(c) To associate in that reflection all participants in the Organization's actions, especially Member States and the Secretariat;

(d) To assess what is feasible and derive from this assessment objectives that are both feasible and politically acceptable to Member States as a whole;

(e) To translate those objectives into programmes and work plans in which the responsibilities and tasks of those who are to implement them are specified;

(f) To indicate to Member States the resources needed to design and implement activities and to ensure that those resources are utilized according to legislative intent and in the most effective and economical manner;

(g) To provide a framework for setting priorities among activities;

(h) To establish an independent and effective system for monitoring implementation and verifying the effectiveness of the work actually done;

(i) To evaluate periodically the results achieved, with a view either to confirming the validity of the orientations chosen or to reshaping the programmes towards different orientations.

2. In pursuance of the above aims, the following instruments are to be utilized in the Organization:

(a) The strategic framework, whereby the orientation of the Organization's activities is provided;

(b) The programme budget and the programme performance report, in which the Secretariat is committed to precise work plans involving delivery of output and where implementation thereof is monitored and reported;

(c) The evaluation system, which allows for continuing critical review of achievements, collective thinking thereon and formulation of subsequent plans.

Article I
Applicability

Regulation 1.1

The present Regulations shall govern the planning, programming, monitoring and evaluation of all activities undertaken by the United Nations, irrespective of their source of financing.

Rule 101.1

(a) The present Rules are promulgated in implementation of the provisions of the Regulations Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation. They shall govern the planning, programming, monitoring and evaluation of United Nations activities, except as may otherwise be provided by the General Assembly or specifically exempted by the Secretary-General. Such cases will be brought to the attention of the General Assembly. The Management Committee, on behalf of the Secretary-General, shall be responsible for overseeing the application of these Rules.

(b) Planning for activities to be partially or fully financed by extrabudgetary funds shall be provisional, and such activities will be implemented only if adequate funds are made available.

(c) Due consideration shall be given in the planning, programming, monitoring and evaluation process to the specific nature of the varied activities of the Organization, some of which may arise from events that cannot be foreseen or planned, bearing in mind, in particular, the responsibilities of the Security Council under the Charter of the United Nations.

Article II
Instruments of integrated management

Regulation 2.1

Activities undertaken by the United Nations shall be submitted to an integrated management process reflected in the following instruments:

(a) Strategic frameworks;

(b) Programme budgets;

(c) Reports on programme performance;

(d) Evaluation reports.

Each of these instruments corresponds to one phase in the programme-planning cycle and, consequently, shall serve as a framework for the subsequent phases.

Regulation 2.2

The planning, programming, budgeting and evaluation cycle shall form an integral part of the general policy-making and management process of the Organization. The instruments referred to in regulation 2.1 shall be used to ensure that activities are coordinated and that the available resources are utilized according to legislative intent and in the most effective and economical manner.

Article III
Planning, programming and budgeting process

Regulation 3.1
Planning, programming and budgeting process

1. The planning, programming and budgeting process shall be governed, inter alia, by the following principles:

(a) Strict adherence to the principles and provisions of the Charter of the United Nations, in particular Articles 17 and 18 thereof;

(b) Full respect for the prerogatives of the principal organs of the United Nations with respect to the planning, programming and budgeting process;

(c) Full respect for the authority and the prerogatives of the Secretary-General as the Chief Administrative Officer of the Organization;

(d) Recognition of the need for Member States to participate in the preparation of the budget at the early stages and throughout the process.

2. The process for the formulation of the strategic framework shall include:

(a) Full implementation of the present regulations as they pertain to the strategic framework;

(b) Consultations in a systematic way regarding the programmes in the strategic framework with sectoral, technical, regional and central bodies of the United Nations;

(c) Drawing up by the Secretary-General, in consultation with the Committee for Programme and Coordination, of a calendar for such consultations.

Regulation 3.2
Budget process

A. Off-budget years

1. The Secretary-General shall submit an outline of the programme budget for the following biennium, which shall contain an indication of the following:

(a) A preliminary estimate of the resources required to accommodate the proposed programme of activities during the biennium;

(b) Priorities, reflecting general trends of a broad sectoral nature;

(c) Real growth, positive or negative, compared with the previous budget;

(d) The size of the contingency fund expressed as a percentage of the overall level of resources.

2. On the basis of a decision by the General Assembly, the Secretary-General shall prepare his proposed programme budget for the following biennium.

3. Throughout this process, the mandate and functions of the Advisory Committee on Administrative and Budgetary Questions shall be fully respected. The Advisory Committee shall consider the outline of the programme budget in accordance with its terms of reference.

B. Budget years

4. The Secretary-General shall submit his proposed programme budget to the Committee for Programme and Coordination and the Advisory Committee on Administrative and Budgetary Questions in accordance with existing procedures.

5. The Committee for Programme and Coordination and the Advisory Committee on Administrative and Budgetary Questions shall examine the proposed programme budget in accordance with their respective mandates and shall submit their conclusions and recommendations to the General Assembly, through its Fifth Committee, for final approval of the programme budget.

6. The programme narratives of the programme budget fascicles shall be identical to the biennial programme plan.

7. The Secretary-General shall include in the introduction to budget fascicles information on the new and/or revised mandates approved by the General Assembly subsequent to the adoption of the biennial programme plan. The Committee for Programme and Coordination, in performing its programmatic role in the planning and budgetary process, shall review the programmatic aspects of the new and/or revised mandates referred to above, as well as any differences that arise between the biennial programme plan and the programmatic aspects of the proposed programme budget.

8. The programme budget shall include expenditures related to political activities of a perennial character whose mandates are renewed annually, together with their related conference costs.

Rule 103.1

An outline of the proposed programme budget shall be submitted to the General Assembly by 15 August of the off-budget year.

Article IV
Strategic framework

Regulation 4.1

A strategic framework shall be proposed by the Secretary-General. It shall comprise in one document:

(a) Part one: a plan outline, reflecting the longer-term objectives of the Organization;

(b) Part two: a biennial programme plan, to cover two years.

Rule 104.1

The strategic framework shall be based on the following principal criteria, inter alia:

(a) Longer-term objectives consistent with all the relevant legislative mandates in all areas of the activities of the United Nations;

(b) Outcomes of intergovernmental conferences and summits;

(c) Inputs from relevant programme managers;

(d) Use of intergovernmentally agreed terms and expressions.

Rule 104.2

(a) The Secretary-General shall prepare part one, the plan outline, reflecting the longer-term objectives of the Organization.

(b) The Secretary-General shall prepare part two, the biennial programme plan, to cover two years.

(c) Instructions shall be issued in accordance with the present Regulations and Rules for the formulation of strategic framework proposals. Heads of departments (as defined in financial rule 101.3 (c)) and offices shall submit to the Secretary-General proposals for the programmes falling within their area(s) of competence, in such detail, at such time and through such channels as the Secretary-General may require.

(d) The Secretary-General shall establish a timetable in order to guarantee the submission of the proposed strategic framework and its revisions to the Committee for Programme and Coordination, in accordance with the six-week documentation rule, no later than the end of April.

Regulation 4.2

The strategic framework shall be a translation of legislative mandates into programmes and subprogrammes. Its objectives and strategies shall be derived from the policy orientations and goals set by the intergovernmental organs. It shall clearly reflect Member States' priorities as set out in legislation adopted by functional and regional intergovernmental bodies within their spheres of competence and by the General Assembly, on advice from the Committee for Programme and Coordination.

Rule 104.3

(a) Requests and directives to the Secretary-General contained in resolutions or decisions of relevant intergovernmental organs constitute legislative mandates for proposed activities. Legislation establishing an organizational unit or providing the general mandate for work in an area should not be cited unless it is the only mandate for the activities proposed.

(b) Only United Nations intergovernmental organs are competent to provide a legislative mandate. Decisions or conclusions of intergovernmental organs that are not organs of the United Nations may become a mandate after they are endorsed by an intergovernmental organ of the United Nations.

(c) Unless it mandates continuing functions of the Organization, a legislative mandate adopted more than five years before the strategic framework review should be accompanied by an explanation justifying its retention as a mandate.

(d) New activities that may be proposed by the Secretary-General in fulfilment of the general objectives of the Organization shall be given a legislative mandate through the adoption of the strategic framework by the General Assembly.

Regulation 4.3

The strategic framework and the budget outline shall together form the basis for preparation of the proposed programme budget.

Regulation 4.4

The strategic framework shall cover all activities, both substantive and servicing, including those to be financed partially or fully from extrabudgetary and other assessed resources.

Rule 104.4

Strategic framework proposals shall be submitted to the General Assembly through the Committee for Programme and Coordination.

Regulation 4.5

The strategic framework shall be presented by programme and subprogramme. There shall be congruence, to the extent possible, of the programmatic and organizational structure of the Secretariat. Each programme shall contain a narrative identifying the mandates that provide the overall orientation for the programme. Each subprogramme shall contain a narrative, which should reflect all mandated activities and identify objectives of the Organization, expected accomplishments of the Secretariat and indicators of achievement and strategies to be used during the plan period to contribute to the achievement of the expected accomplishments and objectives.

Rule 104.5

(a) Each programme of the strategic framework shall be presented in a separate chapter and shall contain subprogrammes where appropriate.

(b) The subprogramme structure of the strategic framework shall determine the subprogramme structure of the programme budgets for the biennium.

(c) The subprogramme structure shall, to the extent possible, correspond to an organizational unit, normally at the divisional level. The General Assembly may modify the subprogramme structure of the programme budget when it adopts the programme budget.

(d) For substantive activities:

(i) Each programme shall contain an introductory narrative describing the relationship of planned activities to the overall strategy reflected in the decisions of the General Assembly for the period covered by the strategic framework and the rationale for selecting the objectives and the subprogrammes intended to attain them. Such an analysis should take into account the situation in the sector in question, the problems that had been identified and the progress made by the international community towards solving those problems. The narrative shall describe the actions expected from both Member States and international organizations, as well as the linkages with other programmes;

(ii) The subprogramme shall be the main unit of analysis, review and evaluation in the United Nations planning and programming system.

Regulation 4.6

Part one of the strategic framework shall be the plan outline, which will constitute a key integral element of the planning process. The plan outline shall be derived from legislative mandates set by intergovernmental organs, shall identify future challenges and shall:

(a) Highlight in a coordinated manner the policy orientation of the United Nations;

(b) Indicate the longer-term objectives and strategy and the trends deduced from mandates that reflect priorities set by intergovernmental organs as well as future challenges;

(c) Contain the Secretary-General's proposals on priorities.

Regulation 4.7

The strategic framework shall cover a two-year period and shall be submitted to the General Assembly one year before the submission of the proposed programme budget covering the same two-year period.

Regulation 4.8

The programmes and subprogrammes of the proposed strategic framework shall be reviewed by the relevant sectoral, functional and regional intergovernmental bodies, if possible during the regular cycle of their meetings, prior to their review by the Committee for Programme and Coordination, the Economic and Social Council and the General Assembly. The Committee for Programme and Coordination shall consider the proposed strategic framework in accordance with its terms of reference.

Rule 104.6

(a) Programme managers shall prepare, in conformity with the present Regulations and Rules and the instructions issued by the Secretary-General, and under the policy guidance of the heads of departments and offices, a draft of their portions of the strategic framework.

(b) Programme managers shall draft their portions of the strategic framework in time for them to be reviewed by the organs referred to in regulations 4.8 and 4.9.

(c) When those organs are considering the proposed strategic framework, the Secretariat shall draw their attention to the provisions of the present Regulations and Rules.

(d) After this review has been completed, programme managers shall send the following documents to the Office of Programme Planning, Budget and Accounts:

(i) The draft strategic framework as presented to the relevant body;

(ii) That part of the report of the body covering its review of the draft strategic framework and its recommendations for changes;

(iii) The redrafted strategic framework reflecting those recommendations where appropriate.

(e) When the above-mentioned documents have been received, the narratives of the programmes and subprogrammes will be adjusted to incorporate changes needed to ensure coherence, improve coordination and avoid overlap. The formulation of the proposed strategic framework shall be supervised by the Management Committee.

(f) The proposed strategic framework will then be issued in fascicles as a General Assembly document and made available to the Committee for Programme and Coordination, the Economic and Social Council and the General Assembly.

(g) The strategic framework, as approved by the General Assembly, will be printed as a single document.

Regulation 4.9

The participation of sectoral, functional and regional organs in the formulation of the strategic framework shall be achieved by means of an appropriate preparation period. To that end, the Secretary-General shall provide proposals for the coordination of their calendars of meetings. The activities in the strategic framework shall be coordinated with those of the concerned specialized agencies through prior consultations.

Rule 104.7

The Secretary-General shall take appropriate measures to submit proposals to the sectoral, functional and regional bodies to enable them to review the relevant portions of the strategic framework or its revisions with a view to facilitating their consideration by the Committee for Programme and Coordination and the General Assembly.

Regulation 4.10

The General Assembly shall consider the proposed strategic framework in the light of the comments and recommendations of the Economic and Social Council and the Committee for Programme and Coordination. The Assembly shall decide to accept, curtail, reformulate or reject each of the subprogrammes proposed in the strategic framework.

Regulation 4.11

After its adoption by the General Assembly, the strategic framework shall constitute the principal policy directive of the United Nations and shall serve as the basis for programme planning, budgeting, monitoring and evaluation. The strategic framework will comprise:

(a) Part one: a plan outline, reflecting the longer-term objectives of the Organization;

(b) Part two: a biennial programme plan to cover two years.

The strategic framework will also contain a description of the strategies to be followed and the methods to be used.

Rule 104.8

In the subprogrammes of the proposed strategic framework:

(a) Objectives for Secretariat action shall be, to the greatest extent possible, concrete and time-limited. Achievement of the objectives and expected accomplishments should be verifiable either directly or through evaluation. Indicators of achievement should be given where possible;

(b) When an objective for Secretariat action cannot be achieved by the end of the plan period, both this longer-term objective and more specific objective(s) to be achieved within the plan period shall be set;

(c) The strategy for the subprogrammes shall describe the course of action, the type of activities to be carried out (research, technical assistance, support of negotiations, etc.) and the programme framework within which the budget will be prepared, which can be expected to result in the fulfilment of the objectives set;

(d) The strategy shall briefly describe the situation that is expected to have been reached at the beginning of the plan period and the approach that will be taken during the plan period to achieve the objective;

(e) The objectives and strategy shall encompass all activities proposed within a subprogramme.

Regulation 4.12

Sectoral, functional and regional programme-formulating organs shall refrain from undertaking new activities that are not programmed in the strategic framework unless a pressing need of an unforeseeable nature arises, as determined by the General Assembly.

Regulation 4.13

The Committee for Programme and Coordination, in performing its programmatic role in the planning and budgeting process, shall review the programmatic aspects of the new and/or revised mandates approved by the General Assembly subsequent to the adoption of the biennial programme plan, as well as any differences that arise between the biennial programme plan and the programmatic aspects of the proposed programme budget. All revisions proposed by the Secretary-General shall be as detailed as necessary to incorporate the programme implications of the resolutions and decisions adopted by intergovernmental organs and international conferences since the adoption of the biennial programme plan.

Rule 104.9

(a) Revisions to the strategic framework are required, inter alia:

(i) When intergovernmental mandates adopted after the adoption of the strategic framework call for new or substantially modified programmes and subprogrammes or any other revisions that should be properly identified;

(ii) When the programme mandates in the opinion of the Secretary-General have become obsolete;

(iii) When the Secretary-General deems it necessary to propose new activities at the subprogramme level not covered by existing legislative mandates.

(b) Substantive revisions shall be those which propose a change in the objective(s) or the strategy of the programme or subprogramme.

Regulation 4.14

The establishment of priorities among both substantive programmes and common support services shall form an integral part of the general planning and management process without prejudice to arrangements and procedures now in force or to the specific character of servicing activities. Such priorities shall be based on the importance of the objective to Member States, the Organization's capacity to achieve it and the real effectiveness and usefulness of the results.

Regulation 4.15

Specialized intergovernmental and expert bodies, when reviewing the relevant programmes of the strategic framework within their sphere of

competence, shall refrain from establishing priorities that are not consistent with the overall priorities established in the strategic framework.

Regulation 4.16

The priorities, as determined by the General Assembly, established in the strategic framework shall guide the allocation of budgetary and extrabudgetary resources in the subsequent programme budgets. After the strategic framework has been adopted by the Assembly, the Secretary-General shall bring the decisions on priorities to the attention of Member States and the governing boards of the voluntary funds.

Rule 104.10

The allocation of resources proposed by the Secretary-General in the subsequent programme budgets shall be made in accordance with regulations 3.2 and 5.1 to 5.9.

Article V
Programme aspects of the budget

Regulation 5.1

The budget outline shall be submitted and considered for approval by the General Assembly after consideration and adoption of the strategic framework. After their approval by the Assembly, the strategic framework and the budget outline shall together form the basis for preparation of the proposed programme budget. In order to facilitate this relationship, the programme budget shall have financial information at the programme and subprogramme levels.

Rule 105.1

As provided in rule 104.5 (b), the subprogramme structure of the programme budget shall be identical to that of the strategic framework unless a change in the subprogramme structure has been authorized by a subsequent legislative mandate. The financial data provided in the proposed programme budget shall be linked to the strategic framework at the programme and subprogramme levels. At the subprogramme level, estimates of the required resources, expressed as a percentage of the programme resources, shall be provided.

Regulation 5.2

The programme proposals set out in the budget shall aim at achieving the objectives established in the strategic framework. Programme proposals that are not derived from the objectives shall be submitted only as a result of legislation passed subsequent to the adoption of the strategic framework or its latest revision.

Rule 105.2

No activity or output shall be included in the proposed programme budget unless it is clearly in implementation of the strategic framework strategy and is likely to help to achieve the objectives of the strategic framework, or it is in implementation of legislation passed subsequent to the approval or revision of the strategic framework.

Regulation 5.3

In the proposed programme budget, the requested resources shall be justified in terms of the requirements of output delivery in contributing to the expected accomplishments.

Rule 105.3

For all activities, programme budget submissions provided to the Secretary-General will include, at the appropriate level of detail, data on the resources required, such as requirements for posts, travel, consultants and other relevant objects of expenditure. These data will be used in internal budget formulation procedures as a basis for programme budget proposals. The programme narrative describing servicing activities shall include, wherever possible, quantitative indicators measuring the services rendered and showing any expected change in productivity during the biennium.

Regulation 5.4

The proposed programme budget shall be divided into parts, sections and programmes.

Programme narratives shall set out subprogrammes, outputs, objectives and accomplishments expected during the biennium. The proposed programme budget shall be preceded by a statement explaining the main changes made in the content of the programme and the volume of resources allocated to it in relation to the previous biennium. The proposed programme budget shall be accompanied by such information, annexes and explanatory statements as may be requested by or on behalf of the General Assembly and such further annexes or statements as the Secretary-General may deem necessary and useful.

Rule 105.4

(a) The programme narratives for all activities shall conform to the following standards:

(i) All final outputs included in the proposed programme budget shall clearly contribute to the achievement of a subprogramme objective identified in the strategic framework;

(ii) Output descriptions shall conform to the following standard categories of final output:

a. Servicing of intergovernmental and expert bodies, including reports thereto;

b. Other substantive activities;

c. International cooperation and inter-agency coordination and liaison;

d. Conference services;

e. Technical cooperation;

f. Administrative support services;

(iii) Expected accomplishments shall be formulated for each subprogramme and shall identify those benefits or changes expected to accrue to users or beneficiaries through the delivery of final outputs. Expected accomplishments shall be in conformity with and lead to the fulfilment of the objectives established in the programmes and subprogrammes. Expected accomplishments shall be expressed in terms that will facilitate the subsequent determination of whether the expectations have been met. Expected accomplishments shall be objective, feasible and pertinent to the nature of and the work carried out by each subprogramme.

(b) The programme narratives for servicing activities shall identify the services to be delivered by nature and quantity. Wherever possible, standard categories of services shall be established.

Regulation 5.5

All activities for which resources are requested in the proposed programme budget shall be programmed.

Rule 105.5

All activities, whether financed from regular budget or extrabudgetary resources, shall be programmed in the sense that:

(a) Output descriptions as stipulated under rule 105.4 shall apply, irrespective of the resources used for producing the output;

(b) Financial information as stipulated under rule 105.3 shall be provided in internal budget formulation data for both categories of funds.

Regulation 5.6

Within the proposed programme budget, the Secretary-General shall submit to the General Assembly, with justification, a list of outputs included in the previous budgetary period which, in the judgement of the Secretary-General, can be discontinued and which, as a consequence, have not been included in the proposed programme budget.

Rule 105.6

In their budgetary submissions, heads of departments and offices shall provide the Secretary-General with a list of outputs and activities required by legislation or approved in a previous budgetary period that have not been included in the proposed programme budget because they are considered obsolete, of marginal usefulness or ineffective, and that therefore could be proposed for termination by the General Assembly. The determination of such outputs shall be made by applying, inter alia, the following criteria:

(a) Outputs and activities derived from mandates that are at least five years old, unless a relevant intergovernmental body has reaffirmed the continuing validity of the mandate;

(b) Outputs and activities whose legislative basis has been superseded by new mandates;

(c) Outputs and activities that were programmed as new outputs in the budget for the previous biennium but that were not implemented in that biennium; if such outputs are to be included in the budget, justification must be provided;

(d) Outputs and activities that, during the in-depth evaluation of a programme by the Committee for Programme and Coordination or a review of the programme by the relevant functional or regional intergovernmental organ, were found to be obsolete, of marginal usefulness or ineffective.

Regulation 5.7

The Secretary-General shall provide the Committee for Programme and Coordination and the Advisory Committee on Administrative and Budgetary Questions with advance copies of the proposed programme budget by the end of April of the year preceding the budgetary period.

Rule 105.7

(a) Heads of departments and offices shall submit programme proposals and corresponding budget estimates at such time and in such detail as the Secretary-General may prescribe and in accordance with the present Regulations and Rules.

(b) Taking into account the deliberations of the Management Committee, the Secretary-General shall decide on the programme content and resource allocation of the budget to be submitted to the General Assembly.

(c) The programmes of work submitted by programme managers to specialized intergovernmental organs should contain activities and output specifications identical to those set out in the programme portion of the proposed programme budget. This does not preclude the addition of further information and detail if required by the specialized intergovernmental organs.

Regulation 5.8

The Committee for Programme and Coordination shall review the proposed programme budget to ensure that the narratives of the programme budget fascicles are identical to the approved biennial programme plan and report on its deliberations. The report of the Committee shall be communicated to the General Assembly and the Economic and Social Council for their consideration.

Regulation 5.9

No council, commission or other competent body shall take a decision involving either a change in the programme budget approved by the General Assembly or the possible requirement of expenditure unless it has received and taken account of a report from the Secretary-General on the programme budget implications of the proposal.

Rule 105.8

It shall be the responsibility of the head of the department concerned, in consultation with the Office of Programme Planning, Budget and Accounts, to ensure that a report on programme budget implications, as required by regulation 5.9, is submitted to the General Assembly prior to its adoption of any resolution or decision. The report should integrate the programme, financial and administrative implications of draft resolutions and include the following information:

(a) Modifications of the work programme that would be necessary should the proposed draft resolution, recommendation or decision be adopted, listing additions, changes or deletions to programmes, subprogrammes, outputs and activities;

(b) Indications, where applicable, of similar or closely related work being carried out elsewhere in the Secretariat and, if possible, indications of related activities being conducted in the specialized agencies of the United Nations system;

(c) In cases where it is proposed to finance such additional activities totally or partly through the redeployment of existing resources, an indication of the outputs or subprogrammes in the current work programme that would be changed, curtailed or terminated as a consequence.

Article VI
Monitoring of programme implementation

Regulation 6.1

The Secretary-General shall monitor accomplishments by subprogramme, as measured by indicators of achievement and the delivery of outputs scheduled in the approved programme budget, through the Department of Management. After the completion of the biennial budget period, the Secretary-General shall report to the General Assembly, through the Committee for Programme and Coordination, on programme performance during that period.

Rule 106.1

(a) The Department of Management shall:

(i) Monitor changes made during the biennium in the programme of work set out in the programme budget approved by the General Assembly;

(ii) At the end of the biennium, report on the actual progress made towards achieving expected accomplishments, as measured by the indicators, and towards delivery of final outputs, in comparison with the commitments set out in the programme narratives of the approved programme budget and report thereon to the General Assembly through the Committee for Programme and Coordination. This monitoring and performance reporting shall cover all activities in the programme budget.

(b) Programme performance shall be reported in accordance with the following procedures:

(i) Heads of departments and offices shall submit biennial programme performance reports for their departments at such time and in such detail as the Secretary-General may prescribe;

(ii) The Department of Management shall be responsible for reporting on programme delivery and preparing the related report to the General Assembly.

(c) The Office of Internal Oversight Services shall conduct ad hoc detailed audits of programme and output delivery.

(d) In the programme performance report, final outputs shall be listed according to the following categories:

(i) Completed as programmed;

(ii) Postponed to the following biennium, whether commenced or not;

(iii) Completed but significantly reformulated;

(iv) Terminated as obsolete, of marginal usefulness or ineffective;

(v) Additional output required by a legislative decision subsequent to the approval of the programme budget;

(vi) Additional output initiated by the programme manager.

An implementation rate based on the above categories shall be assigned to each programme in the programme performance report. Explanations shall be provided in the programme performance report for low implementation rates and, upon the request of Member States, for any other departures from programmed commitments.

(e) In the programme performance report, the assessment of progress against objectives and expected accomplishments required under rule 106.1 (a) (ii) shall be provided, to the extent possible, by subprogramme. An explanation shall be given for lack of progress.

Regulation 6.2

An entire subprogramme shall not be reformulated nor a new programme introduced in the programme budget without the prior approval of an intergovernmental body and the General Assembly. The Secretary-General may make such proposals for review by the relevant intergovernmental body if he or she considers that circumstances so warrant.

Rule 106.2

Programme implementation shall be monitored under the following procedures:

(a) Heads of departments or offices shall establish internal programme-monitoring procedures pursuant to guidelines established by the Department of Management;

(b) Within any subprogramme, heads of departments or offices shall have the discretion with full justification to modify the approved programme budget by reformulating final outputs, postponing delivery of outputs to the following biennium or terminating outputs, provided that such changes are in pursuance of the objective and strategy of the subprogramme as set out in the strategic framework. Such proposed changes shall be reported through the Department of Management;

(c) Subject to the procedures established under (a) and (b) above, changes in the programme of work mandated by a competent intergovernmental organ that can be implemented within existing resources may be implemented by the department or office concerned;

(d) Changes in the programme of work requiring net additional resources may not be implemented before they are approved by the General Assembly.

Regulation 6.3

The Secretary-General shall transmit the biennial programme performance report to all Member States by the end of the first quarter following the completion of the biennial budgetary period.

Article VII
Evaluation

Regulation 7.1

The objective of evaluation is:

(a) To determine as systematically and objectively as possible the relevance, efficiency, effectiveness and impact of the Organization's activities in relation to their objectives;

(b) To enable the Secretariat and Member States to engage in systematic reflection, with a view to increasing the effectiveness of the main programmes of the Organization by altering their content and, if necessary, reviewing their objectives.

Rule 107.1

(a) The objectives of a programme or subprogramme shall be the standards against which its relevance, effectiveness and impact will be assessed. As a necessary component of programme evaluation there shall be an assessment of the relevance, quality and usefulness of individual output and the effectiveness of the output in achieving the time-limited subprogramme objectives.

(b) Baseline data and indicators of achievement shall be utilized in the evaluation process to assess programme impact in terms of the objectives. An attempt shall be made to identify and analyse the factors associated with effectiveness and impact.

(c) Evaluation findings shall be communicated to Member States through intergovernmental bodies and to heads of departments and offices in order to facilitate the reconsideration of existing mandates, policies, strategies and objectives, the substantive content of programmes and its utility to the users.

Regulation 7.2

All activities programmed shall be evaluated over a fixed time period. An evaluation programme as well as a timetable for intergovernmental review of evaluation studies shall be proposed by the Secretary-General and approved by the General Assembly at the same time as the proposed medium-term plan.

Rule 107.2

(a) All programmes shall be evaluated on a regular, periodic basis. At the programme or subprogramme level, evaluation plans shall be linked to the medium-term plan, and they shall be integrated with the programme budget cycle.

(b) The evaluation system shall include periodic self-evaluation of activities directed at time-limited objectives and continuing functions. Programme managers shall, in collaboration with their staff, undertake self-evaluation of all subprogrammes under their responsibility. Specifically:

(i) The timing, scope and other characteristics of a self-evaluation study shall be determined by the nature and characteristics of the activities programmed and other relevant factors;

(ii) Methodological support shall be provided by the Central Evaluation Unit in connection with the preparation of self-evaluation reports;

(iii) Evaluation plans, which are required for each new and ongoing subprogramme, shall be prepared by programme managers and shall contain the following elements: a definition of the purpose of the evaluation and the anticipated application of evaluation findings; the evaluation methodology to be employed; the characteristics of the evaluation (e.g., the scope of coverage and the period covered); the measures of change (e.g., the nature of the progress and the impact indicators to be employed); the means of information collection; the administrative arrangements; and the resource requirements.

(c) In addition to self-evaluation, the evaluation system shall include the ad hoc in-depth evaluation of selected programme areas or topics conducted internally or externally at the request of intergovernmental bodies or at the initiative of the Secretariat. In determining whether an in-depth evaluation should be carried out, the results of self-evaluation shall be taken into account. Specifically:

(i) The evaluation proposals submitted by the Secretary-General to the General Assembly for its approval shall include a list of programmes or portions of programmes to be covered on a regular, periodic basis by in-depth evaluations and a timetable indicating the years in which the related reports are due;

(ii) In-depth evaluation reports to be submitted for consideration by the Committee for Programme and Coordination or by the intergovernmental or expert organs directly concerned with each programme shall be prepared by the Central Evaluation Unit, in collaboration with the programme managers concerned and, if necessary, competent experts in the fields involved. The Joint Inspection Unit may also assist in the preparation of such reports;

(iii) At least one in-depth evaluation study shall be undertaken each year. Such a study shall normally be completed within two years.

Regulation 7.3

Evaluation may be internal and/or external. The Secretary-General shall develop internal evaluation systems and seek the cooperation of Member States in the evaluation process, as appropriate. Evaluation methods shall be adapted to the nature of the programme being evaluated. The General Assembly shall invite such bodies as it sees fit, including the Joint Inspection Unit, to perform ad hoc external evaluations and to report on them.

Rule 107.3

(a) Self-evaluation shall be conducted by programme managers in compliance with guidelines established by the Central Evaluation Unit, which will be responsible for quality standards, methodology, the adaptation and transfer of evaluation information and ad hoc studies.

(b) The United Nations programme categories shall be used as a reference, but the primary focus of self-evaluation shall be on the subprogramme, outputs and activities.

(c) Self-evaluation reports shall be concerned with the effectiveness and impact of subprogrammes. In them, programme managers shall:

(i) Assess the quality and relevance of the outputs of each subprogramme and their usefulness to the users;

(ii) Compare the situation existing at the start of the implementation of each subprogramme and what remains to be done in order to ascertain the extent to which a subprogramme has attained its objective;

(iii) Analyse the extent to which the objectives of the programme have been attained and the impact of the totality of subprogrammes implemented in the context of the programme;

(iv) Identify, in the light of such findings, other possible designs for the programme; that is, alternative subprogrammes that might be

considered in order to improve performance in attaining the programme objectives.

(d) The programme evaluation system shall utilize all information collected during the programme performance, monitoring and reporting process but shall remain separate and distinct from that process.

(e) The programme evaluation system is separate and distinct from the personnel performance appraisal system. Since the programme evaluation system is concerned with programme effectiveness and impact rather than the performance of individual staff members, no information shall be transmitted between the two systems.

Regulation 7.4

The findings of the intergovernmental review of evaluations shall be reflected in subsequent programme design and delivery and policy directives. To this end, a brief report summarizing the conclusions of the Secretary-General on all evaluation studies conducted in the established evaluation programme shall be submitted to the General Assembly at the same time as the text of the proposed medium-term plan.

Rule 107.4

(a) Evaluation findings in respect of ongoing or continuing activities shall be directly and immediately communicated to those responsible for programme planning and management to permit mid-course correction if required.

(b) The evaluation system shall include the monitoring of action taken on the basis of evaluation conclusions and recommendations.

(c) Evaluation methods shall be made consistent and comparable so as to facilitate the adaptation and transfer of evaluation findings among United Nations programmes.

(d) The reporting of evaluation results shall include a statement on the comprehensiveness and rigour of the evaluation process; it shall clearly differentiate between objective evidence, professional technical judgements and political judgements of Member States, and all its conclusions and recommendations shall be supported by such evidence and judgements. The recommendations contained in the report shall be unambiguous and possible to implement.

(e) Intergovernmental or expert committees directly concerned with each programme shall formulate, in connection with the evaluation reports submitted to them, recommendations concerning methods of implementation and shall suggest, where appropriate, a new design for the programme, resulting in a new set of subprogrammes. Those recommendations shall be transmitted to the Committee for Programme and Coordination for consideration and, in the case of programmes concerning servicing activities, to the Advisory Committee on Administrative and Budgetary Questions as well.

(f) After considering the recommendations of the competent intergovernmental or expert organs and the recommendations contained in the reports prepared by the Central Evaluation Unit, the Committee for Programme and Coordination shall propose to the Economic and Social Council and to the General Assembly measures that may relate to:

(i) Changes in procedures used in implementing ongoing programmes;

(ii) The redefinition of the content of programmes and subprogrammes.

(g) Measures thus proposed shall be considered either in connection with the formulation of a new plan after study by the intergovernmental bodies concerned of the report summarizing the conclusions of the Secretary-General on the relevant evaluation studies, as envisaged in regulation 7.4, or in connection with a biennial revision of the plan, as envisaged in regulation 4.13.

(h) A summary report shall be prepared periodically to include findings of individual reports and general conclusions on the design of the programmes reviewed in order to assist in the preparation of the medium-term plan.

Annex

Glossary of terms

Activity. Action taken to transform inputs into outputs.

Budget year. The second year of a biennium, in which the Secretary-General submits the proposed programme budget for the following biennium.

Common services. Common services are either conference services rendered to Member States or administrative services rendered by a single unit to more than one department or office.

Competent intergovernmental organ. An intergovernmental organ is competent to provide legislative mandates to the Secretariat in the areas covered by its terms of reference as set out in intergovernmental resolutions or decisions, normally those establishing its existence. Such competence may be global, regional, sectoral or functional.

Delivery of output. An output is generally considered to have been delivered when the service is completed or when the products resulting from a programme activity are made available to the intended primary users; e.g., in the case of a report or a technical publication, when it has been circulated to Member States, interested Governments or other primary users; in the case of a sales publication, when it is placed on sale.

Effectiveness is the extent to which expected accomplishments are achieved.

Efficiency is measured by how well inputs are converted into outputs.

End-user is the recipient or beneficiary of an output or accomplishment.

Evaluation is a process that seeks to determine as systematically and objectively as possible the relevance, effectiveness and impact of an activity in the light of its goals, objectives and accomplishments. Specifically:

- *In-depth evaluation* is undertaken by the Central Evaluation Unit at the request of the Committee for Programme and Coordination, as endorsed by the General Assembly, or at the request of other intergovernmental bodies. It may also be undertaken by evaluation units in regional and sectoral secretariats at the request of their governing bodies. This type of evaluation may also be initiated by the Secretary-General for a particular programme as the need arises. In-depth evaluation focuses on the programme. On the basis of studies conducted by the relevant evaluation unit for their consideration, the Committee for Programme and Coordination, intergovernmental bodies at the regional and sectoral levels, other technical intergovernmental bodies and appropriate expert bodies concerned review entire programmes or the entire work of an entity in depth. The objective is to make recommendations that would help the Economic and Social Council and the General Assembly to formulate decisions aimed at increasing the overall relevance, effectiveness and impact of the programmes of the United Nations in the context of the intergovernmental goals and policies;
- *Self-evaluation* is undertaken by programme managers primarily for their own use. Self-evaluation focuses on the subprogramme and can be applied to all sectors, including political, legal, humanitarian, economic and social affairs,

public information and common services. As an integral part of the management process, the design and conduct of the self-evaluation procedure are specified at the planning and programming stages in conjunction with the design of the relevant subprogramme. Findings are applied by the programme managers to make necessary adjustments in implementation or are fed back into the planning and programming process in the form of proposed changes in the design and/or orientation of the subprogramme or project concerned. While the results of self-evaluation are not normally reported at the intergovernmental level, the conclusions drawn from the analytical information generated for various subprogrammes and projects within a programme can be used as inputs for assessing the programme as a whole;

- *Internal evaluation* covers both self-evaluation and in-depth evaluation (see above);
- *Ongoing evaluation* is the examination of an activity during its implementation to assess its continued relevance and progress towards the achievement of its objectives;
- *Ex post evaluation* is the assessment of the relevance, effectiveness and impact of an activity carried out some time after its completion.

Expected accomplishment is a desired outcome involving benefits to end-users, expressed as a quantitative or qualitative standard, value or rate. Accomplishments are the direct consequence or effect of the generation of outputs and lead to the fulfilment of a certain objective.

External evaluation is performed by entities outside the United Nations Secretariat. The General Assembly invites such bodies as it sees fit, including the Joint Inspection Unit, to carry out this type of evaluation.

External factors are events and/or conditions that are beyond the control of those responsible for an activity but that have an influence on the success or failure of the activity. They may be anticipated in the form of assumptions or they may be unanticipated.

Impact is an expression of the changes produced in a situation as the result of an activity that has been undertaken.

Indicators of achievement are used to measure whether and/or the extent to which the objectives and/or expected accomplishments have been achieved. Indicators correspond either directly or indirectly to the objective or the expected accomplishment for which they are used to measure performance.

Inputs are personnel and other resources necessary for producing outputs and achieving accomplishments.

Intergovernmental organ. An organ is intergovernmental if its membership consists of Governments. Thus, United Nations bodies consisting of persons serving in their individual capacities are not intergovernmental organs, even if the persons concerned were nominated by Governments or elected by an intergovernmental organ.

Legislative mandate. A legislative mandate is a request for action addressed to the Secretary-General or an executive head acting on his behalf in a resolution or decision adopted by a competent United Nations intergovernmental organ.

Monitoring. Monitoring is the periodic determination by the head of a department or office, or by the Central Monitoring and Inspection Unit, of the actual delivery of final outputs in comparison with the commitments for the delivery of outputs set out in the programme budget as approved by the General Assembly.

Objective. In programme budgeting, objective refers to an overall desired achievement involving a process of change and aimed at meeting certain needs of identified end-users within a given period of time.

Off-budget year. The first year of a biennium, in which the Secretary-General submits an outline of the proposed programme budget for the following biennium.

Outputs. Outputs are final products or services delivered by a programme or subprogramme to end-users, such as reports, publications, training, servicing of meetings, or advisory, editorial, translation or security services, which an activity is expected to produce in order to achieve its objectives.

Priority. A priority is a preferential rating for the allocation of limited resources. Thus, activities with the highest priority are those that would be conducted even if total resources were significantly curtailed; activities with the lowest priority are those that would be curtailed or terminated if all anticipated resources were not available or if activities with a higher priority had to be commenced or expanded.

Programme. A programme consists of the activities undertaken by a department or office.

Programme manager. A programme manager is the Secretariat official responsible for the formulation and implementation of a programme as defined above, normally the head of an organizational unit. For the purposes of self-evaluation, programme managers also refer to those who are involved in the implementation of subprogrammes, namely, the head of a division, branch or section.

Programme strategy. A programme strategy is a sequence of means of action to be undertaken for the purpose of achieving an objective.

Relevance. Relevance is the extent to which an activity, expected accomplishment or strategy is pertinent or significant for achieving the related objective and the extent to which the objective is significant to the problem addressed. Relevance is viewed in the context of the activity's design as well as in the light of the factual situation at the time of evaluation.

Subprogramme. A subprogramme consists of activities within a programme aimed at achieving one or a few closely related objectives as set out in the medium term plan. The subprogramme structure shall correspond, to the extent possible, to an organizational unit, normally at the division level.

16-07330 (E) 090516

Please recycle

United Nations ST/SGB/2016/7

Secretariat

22 June 2016

Secretary-General's bulletin

Terms of reference for the Office of the United Nations Ombudsman and Mediation Services

The Secretary-General, pursuant to General Assembly resolutions 55/258, 56/253, 61/261, 62/228, 63/253, 65/251 and 66/237, in consultation with the executive heads of the separately administered funds, programmes and entities of the United Nations system, hereby promulgates the following:

Section 1
Establishment of the Office of the United Nations Ombudsman and Mediation Services

Purpose of the Office

1.1. The Office of the United Nations Ombudsman and Mediation Services is established as the informal component of the system of administration of justice to make available confidential services of impartial and independent persons to address work-related issues of staff members.

Scope

1.2. The Office shall serve staff members of the United Nations system, including but not limited to the Secretariat, the International Tribunal for the Former Yugoslavia, the International Residual Mechanism for Criminal Tribunals and the separately administered funds, programmes and entities of the United Nations system, such as the United Nations Development Programme (UNDP), the United Nations Population Fund (UNFPA), the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF), the United Nations Office for Project Services (UNOPS) and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women).

1.3. All staff members will be informed by their respective organizations of the manner in which they can bring matters of concern to the attention of the Office.

1.4. The use of the services of the Office is voluntary. All possible use should be made of the informal system for the benefit of staff and management. Therefore, efforts for the informal resolution of conflict should be supported, encouraged and accommodated by the organization. No staff member who brings a matter to the attention of the Office, provides information to the Office, uses its services or

Please recycle

pursues an informal resolution of conflict shall be subject to any reprisal, whether threatened to be taken or actually taken, because he or she sought the assistance of an ombudsman. Any staff member who engages in such reprisal may be subject to disciplinary measures, in accordance with chapter X of the Staff Rules, if such misconduct is established.

Structure of the Office

1.5. The Office of the United Nations Ombudsman and Mediation Services is a single, integrated and decentralized office. It comprises three pillars:

(a) The Office of the United Nations Ombudsman;

(b) The Office of the Ombudsman for UNDP, UNFPA, UNICEF, UNOPS and UN-Women;

(c) The Office of the Ombudsman for UNHCR.

The Office also has a mediation service, which reports to the United Nations Ombudsman.

1.6. The United Nations Ombudsman shall be responsible for the oversight of the entire Office and enhance the coordination among its three pillars. The enhancement of coordination shall include the harmonization of standards, operating guidelines, reporting categories and databases.

1.7. The United Nations Ombudsman shall have direct access to the Secretary-General. The Ombudsmen for the Funds, Programmes and Entities shall have direct access to the executive heads of the funds, programmes and entities.

1.8. The Office shall include regional branch offices to ensure that staff members at all duty stations have easy access to its services. Each regional office will be headed by a regional ombudsman. The regional ombudsmen report to the United Nations Ombudsman and are independent of the United Nations entities in their respective regions.

1.9. For cases arising in the funds, programmes and entities, regional ombudsmen shall consult and liaise with the ombudsman serving the organization in question. Similarly, for cases that they may receive that arise in the Secretariat, the Ombudsmen for the Funds, Programmes and Entities shall consult and liaise with the United Nations Ombudsman or the relevant regional ombudsman.

Section 2
Appointments

2.1. The Secretary-General shall appoint, in consultation with the executive heads of the funds, programmes and entities, the United Nations Ombudsman, at the level of Assistant Secretary-General, from a list of candidates compiled and recommended by a selection committee composed of representatives of staff and management as well as outside ombudsmen.

2.2. The executive heads of the funds, programmes and entities shall appoint ombudsmen for their respective organizations following similar procedures, in consultation with the Secretary-General.

2.3. The United Nations Ombudsman shall serve for a five-year term, with the possibility of renewal for one additional term. Such renewal will be considered in consultation with staff representatives and the executive heads of the separately administered funds, programmes and entities. Upon completion of his or her term of office, the United Nations Ombudsman shall not be eligible for other employment within the Secretariat.

2.4. The terms of office for the Ombudsmen for the Funds, Programmes and Entities shall be determined by the executive heads of their respective organizations. Upon completion of their terms of office, the Ombudsmen shall not be eligible for other employment in the funds, programmes and entities in which they served as ombudsmen.

Section 3
Operating principles

General principles

3.1. The ombudsmen shall have the authority to consider workplace conflict relating to employment within their respective organizations. The term "conflict" is to be construed in its broadest sense and includes matters pertaining to conditions of employment, the administration of benefits and managerial practices, as well as professional and staff relations matters.

3.2. In their work, the ombudsmen of the United Nations shall be guided by the Charter of the United Nations, resolutions of the General Assembly, the Staff Regulations and Rules, applicable policies, any other administrative issuances relevant to service in the Secretariat and the funds, programmes and entities, as applicable, as well as generally accepted international standards of practice for organizational ombudsmen and principles of justice and fairness.

3.3. Safeguarding confidentiality and impartiality is critical for the Office to carry out its mandate. Requests for access to information relating to the substantive work of the Office will need to take account of the guiding principles of confidentiality, independence, informality and impartiality, as articulated in the present terms of reference.

3.4. In accordance with section 1.2, an ombudsman may hear from any of the parties involved in an issue who wish to avail themselves of the ombudsman's services. All interactions with an ombudsman shall be voluntary. As necessary, an ombudsman may refer staff to other appropriate offices.

Independence

3.5. The Office is independent of other organizational entities. The Office shall not report to or be affiliated or aligned with any other United Nations function or department.

3.6. In the performance of his or her duties, an ombudsman shall be independent of any United Nations organ or official. An ombudsman shall hold no other position concurrently within the Secretariat, funds, programmes or entities.

3.7. The Office shall have access to all records concerning staff. The exceptions to that access are:

(a) Medical records, unless the staff member concerned expressly consents to their release;

(b) Records of investigations, unless otherwise permitted by the relevant parties or authority;

(c) Records and communications covered by professional legal privilege, unless otherwise permitted by the relevant parties or authority;

(d) Financial disclosure statements made in accordance with staff regulation 1.2 (n).

The Office shall also have access to individuals in the organization that may be able to provide advice, information or expert opinions on a particular matter. Requests for information by the Office shall be answered promptly and efficiently.

3.8. An ombudsman shall exercise sole discretion over whether or how to act regarding staff concerns. An ombudsman may also initiate action on a concern identified through his or her direct observation.

3.9. The ombudsmen shall maintain operational independence from the organizations that they serve. They shall have responsibility for the management of matters raised by staff in their respective organizations.

Neutrality and impartiality

3.10. An ombudsman, as a designated neutral party, shall remain impartial and have no personal interest or stake in the outcome of an issue. An ombudsman shall consider the legitimate concerns and interests of all individuals affected by the matter under consideration.

3.11. An ombudsman shall advocate fairness and equitably administered processes and shall not advocate on behalf of any party.

Confidentiality

3.12. All Office staff shall maintain strict confidentiality concerning matters that are brought to their attention and take every reasonable step to safeguard confidentiality and privileged information, including the following:

(a) The Office shall not reveal the identity of any individual with whom there is contact in the course of case-related work, nor shall it reveal information provided in confidence that could lead to the identification of the individual, without the individual's express permission;

(b) Office staff shall take specific action relating to the matter only with the express permission of the individual staff member and only to the extent permitted, unless such action can be taken in a way that safeguards the identity of the individual, and even then at the sole discretion of the Office.

Others cannot waive the confidentiality of the Office. The only exception to strict confidentiality is when, as determined by the Office, there appears to be an imminent risk of serious harm and when there is no other reasonable option for confidentially handling the matter.

3.13. The ombudsman shall not be compelled by any United Nations official to provide information about concerns brought to his or her attention.

3.14. Information or documentation connected to the work-related issues of staff members obtained or generated by the Office through the exercise of its mandate, including requests for assistance by staff members and subsequent communications, are strictly confidential and will not be sought, obtained or used for any other purpose.

Informality

3.15. An ombudsman shall address work-related issues through informal means, including mediation, listening, providing and receiving information, identifying and reframing issues, exploring a range of options and undertaking informal fact-finding. The ombudsman does not replace any other organizational entity, but collaborates, with the permission of the staff member, with other offices and services to resolve work-related concerns and conflicts while respecting confidentiality.

3.16. An ombudsman cannot make or set aside managerial decisions, mandate policies or be a party to any formal administrative procedure. However, an ombudsman may be consulted on policy issues where his or her views and experience may prove useful. An ombudsman shall not have decision-making powers, but shall advise and make suggestions or recommendations, as appropriate, on actions needed to settle conflicts, taking into account the rights, equities and obligations existing between the organization and the staff member.

3.17. An ombudsman shall not determine rights, and procedures conducted by an ombudsman do not constitute formal adjudicative or investigatory procedures, nor shall ombudsmen keep records for their respective organizations or accept notice on behalf of their organizations.

3.18. In line with staff rule 11.1 (b), both the staff member and the Administration may initiate informal resolution of the issues involved at any time before or after the staff member chooses to pursue the matter formally. The conduct of informal resolution by the Office may result in the extension of the deadlines applicable to management evaluation and to the filing of an application with the United Nations Dispute Tribunal, in accordance with staff rules 11.2 (c), 11.2 (d) and 11.4 (c), in order to allow the parties to explore all avenues for finding informal solutions.

Section 4
Reporting

4.1. The Office shall identify, analyse and report on broad systemic issues and make recommendations to improve the policies, procedures, systems and structures of the respective organization, without breaching confidentiality or anonymity.

4.2. The United Nations Ombudsman shall provide regular reports on the activities of the Office to the General Assembly, through the Secretary-General. The Ombudsmen for the Funds, Programmes and Entities shall provide regular reports to the executive heads of their respective organizations.

Section 5
Mediation

5.1. The Office, including the Ombudsmen for the Funds, Programmes and Entities, shall provide mediation services and assist parties in working towards the

resolution of a dispute or difference, with the parties themselves remaining in control of the final decision.

5.2. A party shall be able to request mediation at any time before or after the staff member chooses to pursue the matter formally. Pending efforts at mediation, the deadlines for submitting a request for management evaluation or for filing an application with the United Nations Dispute Tribunal may be extended in accordance with staff rules 11.2 (c), 11.2 (d) and 11.4 (c).

5.3. Mediation can also be requested by any of the parties after a party has filed an application with the United Nations Dispute Tribunal. If the other party agrees to proceed with mediation, the Dispute Tribunal may suspend the proceedings for a period of time, in accordance with its statute and rules of procedure.

5.4. Mediation may be requested by any party to a dispute. A proposal to refer a dispute to mediation may also be made by the Management Evaluation Unit in the Secretariat, the executive heads of the funds, programmes and entities, the United Nations Dispute Tribunal, the United Nations Appeals Tribunal, the Office of Staff Legal Assistance and other similar offices. The referral of a dispute to mediation will, however, take place only with the consent of all parties concerned.

5.5. The Office shall maintain the confidentiality of all mediation discussions. A mediator shall not determine rights, and procedures conducted by the mediator do not constitute formal adjudicative or investigatory procedures, nor shall mediators keep records for their respective organizations or accept notice on behalf of their organizations.

5.6. Every person involved in the mediation shall keep confidential all information arising out of or in connection with the mediation, including the terms of any settlement, but not including where disclosure is required to implement or to enforce the terms of the settlement.

5.7. A mediator is governed by the present terms of reference and is expected to adhere to generally accepted mediation principles, which dictate that mediation should be voluntary, that the concerned parties should have all information necessary and should reach agreement themselves.

Section 6
Final provisions

6.1. The present bulletin shall enter into force on the date of its issuance.

6.2. The present bulletin supersedes Secretary-General's bulletin ST/SGB/2002/12, entitled "Office of the Ombudsman — appointment and terms of reference of the Ombudsman".

(*Signed*) **BAN Ki-moon**
Secretary-General

United Nations ST/SGB/2016/8

Secretariat

22 June 2016

Secretary-General's bulletin

Placement of staff members serving in the Executive Office of the Secretary-General

The Secretary-General, pursuant to General Assembly resolutions 51/226 and 57/305 and for the purpose of establishing procedures for the placement of staff members serving in the Executive Office of the Secretary-General, hereby promulgates the following:

Section 1
Purpose

Pursuant to General Assembly resolution 51/226, the Secretary-General exercises discretionary power of appointment and promotion in respect of staff of the Executive Office of the Secretary-General. The purpose of the present bulletin is to establish procedures for the placement of staff members from the Executive Office of the Secretary-General at the end of their service in that Office, which may occur at any time.

Section 2
Scope

2.1 The present bulletin applies to staff members of the Executive Office of the Secretary-General at the D-2 level and below, including staff in the General Service and related categories, who were recruited through established procedures under staff rule 4.15 or 4.16 and subsequently requested to serve in the Executive Office of the Secretary-General.

2.2 The present bulletin does not apply to staff members of the Executive Office of the Secretary-General who have been recruited externally outside of the established procedures under staff rule 4.15 or 4.16 and whose appointment is limited to the Executive Office of the Secretary-General.

Section 3
Placement of staff from the Executive Office of the Secretary-General

3.1 In exercising the authority vested in staff regulation 1.2 (c), the Secretary-General, as Chief Administrative Officer, shall have the authority to laterally transfer staff members of the Executive Office of the Secretary-General to any of the activities or offices of the United Nations, including to any vacant position in

Please recycle

any organizational unit or duty station with or without advertisement of the job opening or further review by a central review body. The Secretary-General may also laterally transfer staff members from the Executive Office of the Secretary-General to a suitable job opening in any department or office of the Secretariat that has been advertised at any time during the process before the endorsement of the recommended candidate or candidates by the central review bodies. With regard to locally recruited staff in the General Service and related categories, the authority of the Secretary-General to laterally transfer a staff member from the Executive Office of the Secretary-General shall be limited to suitable vacant positions within their duty station.

3.2 Staff members transferred from the Executive Office of the Secretary-General under the provisions of the present bulletin shall be placed laterally on a vacant position at the grade level that they hold in the Executive Office of the Secretary-General. Before such placement, the Secretary-General shall consult the head of the department or office and the staff member concerned.

3.3 The Secretary-General shall report on the implementation of these procedures to the General Assembly as appropriate pursuant to section VIII of Assembly resolution 57/305.

Section 4
Final provisions

The present bulletin shall enter into force on the date of its issuance.

(*Signed*) **BAN Ki-moon**
Secretary-General